

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

VIRGINIA BEACH MUSIC, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NUMBER:
)	2:06cv90-WKW
MONTGOMERY MAULERS, LLC, et al.)	
)	
Defendants.)	

**AFFIDAVIT IN SUPPORT OF
PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT**

STATE OF GEORGIA)
) ss:
County of COBB)

DOUGLAS JONES, being sworn, states:

1. I am employed by the American Society of Composers, Authors and Publishers ("ASCAP") as a Litigation Administrator in ASCAP's General Licensing Department. I am informed and believe plaintiffs herein are members of ASCAP and at all times pertinent, their songs, including each song listed on Schedule A to the Complaint, have been in the ASCAP repertory.

2. I make this Affidavit in support of plaintiffs' Motion for Judgment by Default requesting, in addition to injunctive relief, costs and attorney's fees, statutory damages of \$3,000 per infringement. I make this Affidavit on the basis of my personal knowledge of the facts recited below.

BACKGROUND

3. ASCAP is an unincorporated membership association whose over 230,000 members write and publish musical compositions. Each member, including each plaintiff in this action, has granted to ASCAP a non-exclusive license to authorize public performances of the member's copyrighted songs. On behalf of all its members, ASCAP licenses the right to perform publicly all of the hundreds of thousands of copyrighted songs in the ASCAP repertory. ASCAP's licensees include television networks and stations, radio networks and stations, restaurants, nightclubs, hotels, and many other kinds of music users.

4. ASCAP routinely contacts owners and operators of establishments where ASCAP's members' copyrighted music is performed as well as presenters of sporting events at which ASCAP members' copyrighted music is performed to advise them of their obligations under the copyright law and to offer them ASCAP licenses. These contacts are in the form of letters, telephone calls, and personal visits.

5. ASCAP maintains records on every establishment and venue it has licensed or attempted to license. Typically, these records consist of files that contain copies of all correspondence pertaining to each establishment and venue as well as memoranda and reports written by ASCAP representatives and employees describing telephone conversations and personal visits with the establishment's or venue's owner or operator and its representatives or employees. Each ASCAP employee makes a written report promptly after every telephone contact with, and personal visit to, prospective and former licensees (many of these documents are now created and stored by computer). Thus, the letters and reports contained in ASCAP's files are records made in the course of ASCAP's regularly conducted business activity.

6. In accordance with the procedures outlined above, a file was created and has been maintained on defendants' indoor football team, the Montgomery Maulers, located in Montgomery, Alabama and playing their home games at the Garrett Coliseum. Attached as composite Exhibit 1 to this Affidavit are true and accurate copies of ASCAP's correspondence with defendants and reports made by ASCAP representatives subsequent to telephone calls to defendants or their representatives.

7. Defendant Montgomery Maulers, LLC was at all pertinent times the owner and operator of the Montgomery Maulers indoor football team; Montgomery Maulers LLC has been and is owned, controlled and operated by defendants Jamie Lamunyon and Wayne Lamunyon; and on the dates of the infringing performances, defendants were jointly responsible for the control, management, operation and maintenance of the Montgomery Maulers indoor football team.

ASCAP'S DEALINGS WITH DEFENDANTS

8. Summarized briefly, the documents attached as composite Exhibit 1 show that Defendants have never obtained an ASCAP license. Beginning in March of 2005, ASCAP made an effort to persuade Defendants to obtain an ASCAP license, including 3 contacts with defendants -- by letters from ASCAP to the defendants and a telephone call to defendants. As a result, Defendants have been advised repeatedly that permission must be obtained either from ASCAP or the individual copyright owners to perform lawfully ASCAP members' copyrighted music at the Montgomery Maulers football games. However, Defendants have not obtained an ASCAP license, nor, I am informed and believe, have they obtained permission directly from ASCAP members to perform their songs at the Montgomery Maulers games. Instead,

Defendants have deliberately violated the copyright law by publicly performing ASCAP members' music on a regular basis at the Montgomery Maulers games, and defendants remain unlicensed to perform music in the ASCAP repertory.

THE EVIDENCE OF INFRINGEMENT

9. After it was clear that defendants would not meet their obligations under the Copyright Law, ASCAP arranged for an independent investigator to visit the Montgomery Maulers' games on April 2, 2005 and June 4, 2005 to determine if defendants were performing publicly ASCAP members music. On those days, the investigator, Christopher Beckworth, attended the Montgomery Maulers games, and while there, made contemporaneous notes of the songs he heard performed.

10. Following his visits to the Montgomery Maulers games, Mr. Beckworth prepared and submitted to ASCAP investigation reports, true and correct copies of which are attached as Exhibit 2 to this affidavit.

11. If this matter were to be tried, I could testify, on the basis of the investigation reports prepared by Mr. Beckworth at ASCAP's request in the regular course of business, that each of the songs listed in Schedule A to the complaint were publicly performed at the Montgomery Maulers games on April 2, 2005 or June 4, 2005.

APPROPRIATE RELIEF

12. Copyright owners have enjoyed the exclusive right of public performance for over a century. At this late date, it can hardly be said that any presenter of copyrighted music at a football game in a public arena is an innocent infringer.

13. Finally, Defendants have been knowing and deliberate infringers. Since at least 2005, Defendants have been well aware of the need for permission to perform copyrighted music in the ASCAP repertory; have consistently furnished musical entertainment for their patrons; and yet, for over a year since ASCAP first contacted them regarding a license agreement, Defendants have neither obtained the appropriate license nor, upon information and belief, obtained permission from the copyright owners to publicly perform their works.

14. Defendants' unlawful conduct has resulted in a "profit" to defendants, as measured by the amount of license fees they have "saved." The "profit" to defendants is approximately \$4,676, the amount that the Montgomery Maulers would have owed if properly licensed by ASCAP for the 2005 and 2006 football seasons (the current license fee for 2006 is \$341 per game or \$2,387 for the entire 7 game season). In addition, defendants' unlawful conduct required ASCAP to incur \$802.69 in out-of-pocket expenses, representing the cost of obtaining the evidence of the infringements on which this action is based and evidence that the infringing conduct has continued, and the costs and attorney's fees associated with bringing this suit.

15. As knowing, deliberate and continuing copyright infringers, defendants ought not be better off as violators of the Copyright Law than they would have been had they complied with its requirements. Thus, plaintiff respectfully asks that the Court award statutory damages of \$3,000 per infringement (\$12,000 in the aggregate) – less than three times the license fees that would have been owed had defendants been licensed to date plus the cost of obtaining the evidence upon which this action is based – an amount that should be sufficient to deter defendants from their deliberate piracy of plaintiffs' and other ASCAP members' copyrighted

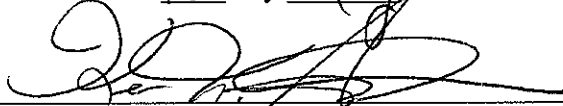
music. Plaintiffs also ask that the Court enjoin defendants from infringing plaintiffs' and all other ASCAP's members' copyrighted musical compositions in the future.

CONCLUSION

16. I respectfully ask this Court to award damages to plaintiffs in the amount of \$3,000 per infringement, an injunction against defendants further unauthorized performance of copyrighted works in the ASCAP repertory and costs, and the attorney's fees and costs incurred in connection with this case — relief which I believe will meet the compensatory and deterrent purposes of the Copyright Law.


DOUGLAS JONES

SWORN TO AND SUBSCRIBED before me this 10th day May, 2006.


Notary Public

My commission expires:

11/2/08

EXHIBIT 1

March 8, 2005

Jamie Lamunyon
Montgomery Maulers
PO Box 230603
Montgomery AL 36123

Dear Sir/Madam:

ASCAP's nearly 200,000 songwriter and music publisher members thank you for using their music to entertain fans at your home games. We know that you understand that music plays a valuable role in creating an environment that attracts and retains customers. It is also important to note that music is valuable intellectual property. Those who perform music publicly for the entertainment of customers or patrons must obtain permission either from the owners of the copyrights in the music, or from licensing organizations such as ASCAP.

Finding, negotiating with and obtaining permission from each of the owners of the songs you might use to entertain your fans would be impractical and very expensive. That is why we offer a blanket license that, for one annual fee, covers your use of all the music in our repertory. For over 85 years, ASCAP has provided music licenses to a wide variety of businesses. Hundreds of thousands of business owners have chosen ASCAP licenses as a convenient and inexpensive method to meet their responsibilities under the Federal Copyright Law. We trust that you will, too.

An ASCAP license authorizes performances of many millions of copyrighted musical works in the ASCAP repertory and in the repertories of affiliated foreign performing rights organizations covering over 100 territories throughout the world. Enclosed with this letter is a flier that provides examples of the many varieties of works in the ASCAP repertory and explains how to obtain information on our repertory and ASCAP's members. You can find much more information about ASCAP, its nearly 200,000 members and the vast ASCAP repertory on our Web site, www.ascap.com.

Also enclosed with this letter is the currently applicable license agreement for your team and an invoice showing appropriate license fees for the 2005 season. We are sure that you will find that our license is the easiest and most economical way to obtain permission to perform music in our repertory.

We realize that your time is valuable and that important matters, such as obtaining the rights to perform music lawfully, are occasionally postponed. Let us help. Simply sign and return the enclosed license agreement with the appropriate payment as indicated on the invoice by **March 25, 2005**. We will return an executed copy for your file.

Please feel free to write or call me with any questions you may have regarding ASCAP, our members or their music, the enclosed license agreement, or the calculation of your license fee.

One further note: for a possible cost savings to you, if you and the other teams in your league wish to take advantage of a discounted leaguelwide rate, please have a league representative contact us.

Thank you in advance for your cooperation.

Sincerely,

Michele Wright
Sr. Account Service Manager

Enclosures: Arena Football Team License Agreement, Rate Schedule, Using Copyrighted Music brochure

American Society of Composers, Authors and Publishers

2690 Cumberland Parkway, Suite 490 Atlanta, GA 30339

INVOICE

Invoice Date: March 7, 2005

Account No.:

Jamie Lamunyon
PO Box 230603
Montgomery, AL 36123

Re: Montgomery Maulers
1050 Eastdale Mall
Montgomery, AL 36117

Billing Period: 2005 Season

7 home games \$2289.00

The only credit cards ASCAP accepts are MasterCard and VISA.

Payment Amount: \$ _____

Check No.: _____ OR

Credit Card No.: _____ Exp. Date: _____ Visa _____ Mastercard _____

Name exactly as on card: _____

Signature: _____

Cardholder acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth in the Cardholder's Agreement with the Issuer.

Please return ALL PAGES of signed License Agreement with your payment.

License fees due and payable in advance.

Retain bottom portion for your records.

Invoice Date: 03/07/2005

Account No.:

Jamie Lamunyon
PO Box 230603
Montgomery, AL 36123

Re: Montgomery Maulers
1050 Eastdale Mall
Montgomery, AL 36117

Billing Period: 2005 Season

7 home games \$2289.00



RATE SCHEDULE

ARENA FOOTBALL TEAM

License Fee Per Home Game

2005 Season \$327.00

The term "Game" shall mean each Arena Football Team game played in its entirety or as deemed a "game" under League Rules.

The term "Season" shall mean the period of time within which all games are played, including exhibition, so-called "pre-season", "regular season", play-off games and championship games.

The above Rate Schedule covers the use of live and mechanical music in conjunction with each Arena Football Team game. However, it is not applicable to musical events (such as live concerts) presented before or after the Arena Football Team game on that date. In such circumstances, SOCIETY's Concert Rate Schedule shall apply.

ANNUAL LICENSE FEE FOR 2006 SEASON AND THEREAFTER

The annual license fee for each home game for each Season commencing 2006 shall be the license fee for the preceding season, adjusted in accordance with the increase in the Consumer Price Index, All Urban Consumers - (CPI-U) between the preceding October and the next preceding October.

2005

STATEMENT OF LICENSEE'S OPERATING POLICY **ARENA FOOTBALL TEAM**

2005 Season Start Date: _____ and Season End Date: _____

- 1) Number of Home Games* for the Above Season: _____
- 2) Applicable Rate per Home Game for Above Season: X \$327.00
- 3) License Fee Based on Above Policy: \$ _____
 (Line 1 times Line 2)

*In the event that there are one or more home playoff games during any Season, LICENSEE shall pay to ASCAP an additional license fee in the amount set forth above for such Season for each playoff game within thirty days after such game.

CERTIFICATE

I hereby certify that the foregoing Statement of Licensee's Operating Policy is true and correct as of this _____ day of _____, _____.

Licensee Name

ASCAP Account Number

(11 digit number)

Name and Title of Person Completing Form (Please Print)

Signature

Phone No.: _____

Fax No.: _____

E-Mail Address: _____

ASCAP, 2690, Cumberland Parkway, Suite 490, Atlanta, GA 30339-3913 1-800-505-4052 1-770-805-3475 (Fax)

Activity Report - Attempted Contact/Telephone

Montgomery Maulers **Montgomery Maulers, LLC** [Create Action](#) [Main](#)

☒ Action Type: **Attempted Contact/Telephone** Amount Collected:

[for Exemption Policy Change Only > > Old Rate: New Rate:]

Main Contact: **Mr. Jamie Lamunyon - - 334-277-1881**

Regarding: **license agreement**

ALM:

TLM:

Account #:

☒ Date Completed: **04/11/2005**

Conversation Log

-- 04/11/2005 -- Michele Wright/ASCAP -- [Re: license agreement] --
left message on Jaime Lamunyon's voicemail regarding license agreement

Details:

Revision History:

Created: 04/11/2005 11:29 AM by Michele Wright/ASCAP

Revised: No Edit Date

April 12, 2005

Mr. Jamie Lamunyon
Montgomery Maulers, LLC
Montgomery Maulers
PO Box 230603
Montgomery, AL 36123

Dear Mr. Lamunyon:

We have not received a response to our offer of an ASCAP license which will allow you to continue performing millions of copyrighted works in your business. While we appreciate your using our members' music, we must also protect the rights of those creators whose music you have chosen to perform. It is much simpler and less expensive to obtain a single ASCAP license agreement than to secure permission on an individual basis from our thousands of composers, lyricists and publishers.

In our last letter, we enclosed information about ASCAP and how music can benefit your business. In the event you have additional questions, we are enclosing a brochure with answers to the most frequently asked questions about ASCAP and our licensing activities. I trust this will address any remaining concerns.

An additional copy of the ASCAP license agreement is enclosed. Please sign and return it with your payment to the address shown below. An executed copy of the license will be returned for your records. Should you have any questions regarding ASCAP licensing, the enclosed agreement or the factors used in determining your license fee, please do not hesitate to contact me.

Thank you for your immediate attention to this matter.

Sincerely,

Michele Wright
Sr. Account Service Manager

L2L (4/00, 4/01)

Enclosures: Arena Football License Agreement, Invoice, "ASCAP Keeps You In Tune With The Copyright Law"

American Society of Composers, Authors and Publishers

2690 Cumberland Parkway, Suite 490 Atlanta, GA 30339

INVOICE

Invoice Date: April 11, 2005

Account No.:

Montgomery Maulers, LLC
PO Box 230603
Montgomery, AL 36123

Re: Montgomery Maulers
1050 Eastdale Mall
Montgomery, AL 36117

Billing Period: 2005 Season

7 home games @ 327.00 each \$2289.00

The only credit cards ASCAP accepts are MasterCard and VISA.

Payment Amount: \$ _____

Check No.: _____ OR

Credit Card No.: _____ Exp. Date: _____ Visa _____ Mastercard _____

Name exactly as on card: _____

Signature: _____

Cardholder acknowledges receipt of goods and/or services in the amount of the total shown hereon and agrees to perform the obligations set forth in the Cardholder's Agreement with the Issuer.

Please return ALL PAGES of signed License Agreement with your payment.

License fees due and payable in advance.

Retain bottom portion for your records.

Invoice Date: 04/11/2005

Account No.:

Montgomery Maulers, LLC
PO Box 230603
Montgomery, AL 36123

Re: Montgomery Maulers
1050 Eastdale Mall
Montgomery, AL 36117

Billing Period: 2005 Season

7 home games @ 327.00 each \$2289.00

Activity Report - Telephone Contact

Montgomery Maulers **Montgomery Maulers, LLC** [Create](#) [Action](#) [Main](#)

Action Type: Telephone Contact Amount Collected:
[for Exemption Policy Change Only >> Old Rate: New Rate:]
Main Contact: Ms. Jamie Lamunyon - - 334-277-1881
Regarding: license agreement

ALM:

TLM:

Account #:

Date Completed: 04/19/2005

Conversation Log

-- 04/19/2005 -- Michele Wright/ASCAP -- [Re: license agreement] --
s/w Jaime who very excitedly talked about the music that the bands plays and the music played for the cheerleaders. I then asked since she was so excited about the music, if she has signed and returned the license agreement along with payment as indicated on the invoice. She said she hadn't because the bands only play "pep" music which she didn't think was copyrighted. She did admit that the cheerleaders have music for their dance routine but she thought that was only 3 songs and felt that the license fee was expensive for only 3 songs. She then stated that she would pay it if she had too but thought that getting the college bands to play "pep" music would keep her from having to pay any fees. She said she would look at the information that I mailed and get back with me.

Details:

Revision History:

Created: 04/19/2005 11:42 AM by Michele Wright/ASCAP
Revised: No Edit Date

EXHIBIT 2

INVESTIGATOR'S EXPENSE REPORT

Please Print

RECEIVED
APR 12 2005

NAME OF ESTABLISHMENT WHERE INVESTIGATION WAS TAKEN: Montgomery Maulers

ASCAP-ATL

ADDRESS: 1050 Eastdale Mall
Montgomery, AL 36117NAME OF INVESTIGATOR: Christopher H. Beckwith DATE: April 2, 2005

EXPENSES	SAT	SUN	MON	TUES	WED	THUR	FRI	TOTAL
Hours in Establishment	3 hrs. 0 mins.							3 hrs. 0 mins.
Investigation Fee	\$80.00							\$80.00 ✓
Total Miles <u>340</u> @ \$.405 per mile	\$137.70							\$137.70 ✓
Driving/Flying time <u>5</u> hrs <u>12</u> min	\$31.25							\$31.25 ✓
Parking/Tolls	\$0.00							\$0.00
Food/Drink <u>4.25</u> ✓ Cover Charge <u>36.00</u> ✓ Other <u>0.00 (tips)</u> Total Expense in Est. <u>\$40.25</u>	\$40.25							\$26.00 <u>40.25</u> <i>rec</i>
Hotel**	\$0.00							\$0.00
Meals** (Outside Establishment)	\$45.90							\$45.90
Phone/Postage (Be sure to separate)	\$3.85							\$3.85 ✓
Report preparation	\$50.00							\$50.00 ✓
Guest/Partner Fee	\$25.00							\$25.00 ✓
Total	\$399.70							413.95 <u>\$399.70</u> <i>rec</i>

Investigator's Signature: Christopher Beckwith Date: 4-8-05Approved by: May L. Chiles Date: 4-12-05

*When possible, please obtain receipts for any expense incurred at the establishment and attach to this report.

**Reimbursement for meals and/or hotels will NOT be made without appropriate receipts.

CG0402	D	U	21	ADULT
18.00		SOUTH SECTION		18.00

D	MONTGOMERY MAULERS			
CA	9X	VS		
U	21	SW LOUISIANA SWASHBUCKLERS		
GAR1605		GARRETT COLISEUM		
A	2APR5	SAT APR 2 2005 7:30PM		

UNITED STATES POSTAL SERVICE	30339	ATLANTA, GA 30331 APR 09, 05 AMOUNT
0000	30339	\$3.85 00090769-26

CG0402	D	U	23	ADULT
18.00		SOUTH SECTION		18.00

D	MONTGOMERY MAULERS			
CA	9X	VS		
U	23	SW LOUISIANA SWASHBUCKLERS		
GAR1605		GARRETT COLISEUM		
A	2APR5	SAT APR 2 2005 7:30PM		

RUBY TUESDAY

4297

5471 Atlanta Hwy
(334) 277-3138

364 Jameika

Tbl 101/1	Chk 5776	Gst 2
Apr02'05 06:59PM		

**** Seat 1 ****

3 FLAVORD LEMONADE @ 2.49	7.47
1 CHK QUES ENT	7.99
1 ALFREDO SH PASTA	11.99
W/SALAD BAR	2.29
1 ORANGE SALMON	10.99
\$SUB LOAD	1.00
3 FLAV LEM REFILL	0.00
Tax Coll 4.17 Total Due	45.90

***** All *****

Sub Total	41.73
Tax Collect	4.17
Total Due	45.90

TRY RUBY'S PARTY PLEASERS
PLATTERS OF YOUR FAVORITES
PACKED TOGO FOR ANY PARTY

INVESTIGATOR'S REPORT

Date of Investigation: April 2, 2005

Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive City: Montgomery State: AL

Time Entered: 7:46 PM No. of Patron Present: 3,000 +

Time Exited: 10:43 PM No. of Patron Present: 2,500 +

Maximum No. of Patrons Present: 5,104

TOTAL SEATING CAPACITY: 8,500

No. Tables: N/A No. Barstools: N/A No. Chairs: 8,500

Posted Fire Capacity: Not posted Date: I was unable to obtain the date

DANCING AREA: N/A sq. ft. (approx.) SKATING AREA: N/A

ADMISSION CHARGE: Fee \$18

MINIMUM CHARGE: N/A OTHER CHARGE: N/A

JUKEBOX: Yes ☐ No ☒ Manufacturer: N/A

Coin Operated: Yes ☐ No ☒ Accessible to Patrons: Yes ☐ No ☒

Song List Visible: Yes ☐ No ☒ Played by Patrons: Yes ☐ No ☒

Jukebox License Office Certificate: Yes ☐ No ☒ Valid J.L.O.C.: Yes ☐ No ☒

Jukebox Owner: N/A (No Jukebox on site)

SEATING CAPACITY BREAKDOWN

TOTAL SEATING CAPACITY: 8,500

(Unable to determine exact amount of seating per section)

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: April 2, 2005

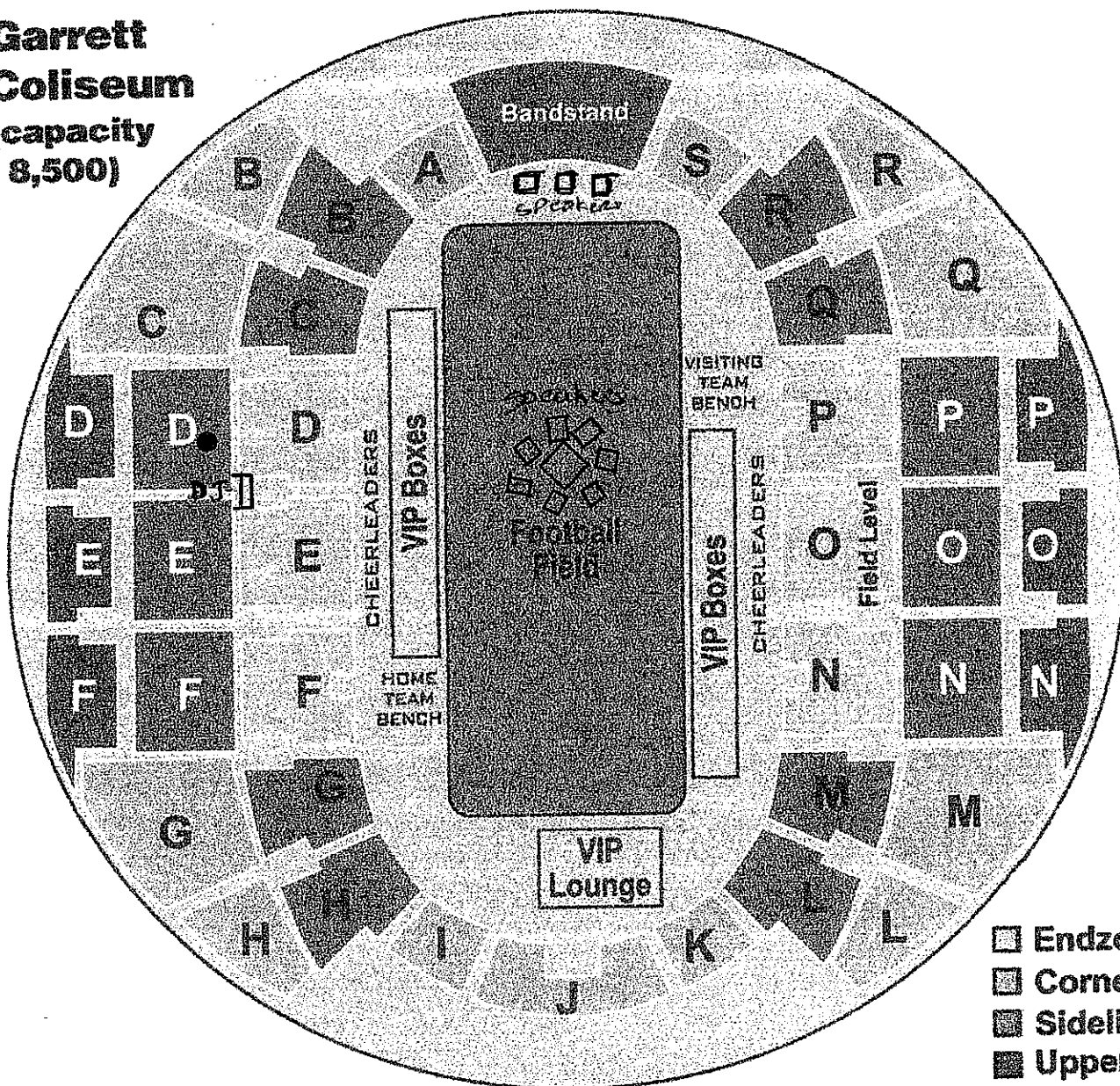
Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive

City: Montgomery State: AL

DIAGRAM OF INTERIOR

**Garrett
Coliseum**
(capacity
8,500)



● Where I sat

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: April 2, 2005

Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive

City: Montgomery

State: AL

DESCRIPTION OF INTERIOR

The Montgomery Maulers is a football team in the National Indoor Football League. All home games are played at Garrett Coliseum in Montgomery, Alabama. Garrett Coliseum is an indoor dome shaped arena with five (5) sections of seating, field level, end zone, corners, sidelines, and upper level. The seats in these sections were fold-down stadium seats constructed of steel frames and wooden slats. I was unable to determine the exact number of seats per section. There were two (2) VIP box sections on the opposite sides of the football field and a VIP lounge at the far end of the football field on the floor of the arena. The chairs in the VIP boxes and the VIP lounge were brown plastic seats with silver metal legs. There was a bandstand on the second level of the arena on the end of the football field opposite the VIP lounge. The oval wall that surrounded the arena floor was constructed of red brick. The remaining walls of the arena were constructed of formed concrete. There were three (3) speakers measuring approximately three (3) X two (2) feet and five (5) large horns mounted to a metal structure suspended from the ceiling in front of the bandstand. There were four (4) speakers measuring approximately three (3) X two (2) feet, ten (10) large horns, and eight (8) combination horn and bass modules mounted to a metal structure suspended from the dome ceiling in the center of the arena. There were several banners attached to the oval wall that surrounded the arena floor and the barrier that separated the VIP boxes and the VIP lounge from the football field (Top Dog Cheerleading, Jinright Turner insurance, Steak Out restaurant, N Touch Communications, WJWZ 97.9 radio station, and Baptist Heath hospital). There were two (2) "Bud Light" logos painted in the center of the football field and a Baptist Health logo painted in each end zone of the football field. There were no televisions or monitors located inside the arena.

DESCRIPTION OF EXTERIOR

The physical address of the Montgomery Maulers of 1050 Eastdale Mall is actually the address of the corporate offices of the team. The Montgomery Maulers physically play all home games at Garrett Coliseum. Garrett Coliseum is located near the intersection of Coliseum Boulevard and Federal Drive. The physical address of Garrett Coliseum is 1555 Federal Drive. Garrett Coliseum is a dome structure constructed of concrete and brick with a pale blue dome. There are two (2) main entrances to Garrett Coliseum, a North entrance and a South entrance. The portions of the arena arched above the North and South entrances are painted pale blue with arched concrete pillars that extended beyond the actual building. There were "Z" shaped flights of concrete stairs above the openings of the North

SIGNATURE Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: April 2, 2005

Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive City: Montgomery State: AL

DESCRIPTION OF EXTERIOR (Cont')

and South entrances. There were two (2) large parking lots located on the Garrett Coliseum property, one (1) on the north side of the property and one (2) on the south. Upon our arrival there were thousands of cars parked on the property. I was unable to determine the exact number of cars. The Coliseum Hotel was the closest neighboring establishment located directly across Federal Drive from Garrett Coliseum.

DESCRIPTION OF ENTERTAINMENT

During the evening of investigation there were two (2) sources of musical entertainment provided by a DJ and the Alabama State University Marching Band. The type of music played on the evening of investigation was Hip Hop by the DJ and the Alabama State University fight song by the marching band. The DJ was a Black male approximately 5'8" with a thin build and a close haircut. He was wearing a white t-shirt with the 97.9 Jamz logo on it and jeans. The attendant at the concession stand who served my guest and I was a white male approximately 5'8" with a medium build, grayish blonde hair balding in the top with a slight mustache wearing a black t-shirt and jeans. The attendant in the ticket booth was an older white male with white hair wearing a plaid shirt. I was unable to determine his height because he was sitting down. The ticket taker was a white male approximately 5'10" with a medium build wearing a plaid shirt, jeans, a yellow rain coat and a red baseball cap. There were twenty-eight (28) members of the Montgomery Maulers Dance Team wearing red velour long-sleeved mid-drifts with black pants. There were three (3) speakers measuring approximately three (3) X two (2) feet and five (5) large horns mounted to a metal structure suspended from the ceiling in front of the bandstand. There were four (4) speakers measuring approximately three (3) X two (2) feet, ten (10) large horns, and eight (8) combination horn and bass modules mounted to a metal structure suspended from the ceiling in the center of the arena. There were no brand names on these speakers. There were no televisions or monitors located inside the arena. The music played by the DJ could be heard throughout the establishment.

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: April 2, 2005

Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive

City: Montgomery State: AL

MISCELLANEOUS

(Include type and number of alcoholic beverages consumed, whether you discussed the purpose for your visit with anyone. Whether you requested the performance of any songs, and any other pertinent details.)

During the evening of investigation my guest and I had one (1) beverage each. My guest ordered a Coca Cola and I ordered a Sprite at a cost of \$2.25 each totaling \$4.50. I was unable to obtain a receipt for these drinks. I parked in the south parking lot on the property of Garrett Coliseum. There was no charge for parking. There were thousands of cars parked on the property. I was unable to determine the exact number of cars. The tickets for the game were \$18 each for my guest and I. I paid for all expenses and tips. I contacted the corporate office of the Montgomery Maulers by phone prior to my trip to Montgomery. I was advised of ticket prices and availability but was unable to obtain any information about entertainment during the games. The posted fire capacity certificate was not posted in the arena. I did not discuss the purpose of my visit with anyone. My guest or I requested no music.

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORTDate of Investigation: April 2, 2005Establishment/Event: Montgomery MaulersAddress: 1555 Federal Drive City: Montgomery State: ALLIST OF MUSICAL COMPOSITIONS

<u>Time</u>	<u>Song Title</u>	<u>Source of Music</u>	<u>Popular Recording By</u>
8:12	GET LOW	DJ	LIL' JON & THE EASTSIDE BOYZ
8:18	I LOVE ROCK N ROLL	DJ	JOAN JETT & THE BLACKHEARTS
8:22	DISCO INFERNO	DJ	50 CENT
8:26	DROP IT LIKE IT'S HOT	DJ	SNOOP DOGG
8:30	DROP IT LIKE IT'S HOT	DJ	SNOOP DOGG
8:44	TIPSY	DJ	J'KWON
8:50	DISCO INFERNO	DJ	50 CENT
8:57	LOUIE, LOUIE	DJ	THE KINGSMEN
9:02	DISCO INFERNO	DJ	50 CENT
9:10	DIRT OFF YOUR SHOULDER	DJ	JAY Z.
9:12	IF YOUR GIRL ONLY KNEW	DJ	ALLYAH
9:15	YEAH	DJ	USHER
9:20	PLANET ROCK	DJ	AFRIKA BAMBAATAA
9:40	BRING EM OUT	DJ	T. I.
9:50	GOODIES	DJ	CIARA
9:57	BRICKHOUSE	DJ	THE COMMODORES
10:03	LOUIE, LOUIE	DJ	THE KINGSMEN
10:08	OK	DJ	NIVEA

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: April 2, 2005

Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive City: Montgomery State: AL

LIST OF MUSICAL COMPOSITIONS

<u>Time</u>	<u>Song Title</u>	<u>Source of Music</u>	<u>Popular Recording By</u>
10:12	I LOVE ROCK N ROLL	DJ	JOAN JETT & THE BLACKHEARS
10:15	YOU DON'T KNOW ME	DJ	T. I.
10:17	CRAZY IN LOVE	DJ	BEYONCE
10:20	MOVE	DJ	LUDACRIS
10:33	SUGAR	DJ	TRICK DADDY

SIGNATURE: Christopher Beckwith

Montgomery Maulers ¹

Arrival: 7:46 PM

Departure: 10:43 PM

2 Parking lots located on north and south end of Garrett Coliseum. Thousands of cars in each parking lot. Cross street Coliseum Blvd and Federal Dr. Coliseum Hotel across Federal Blvd. from Garrett Coliseum.

Garrett Coliseum is a dome brick and concrete structure with a pale blue dome.

Christopher Beckwith

Montgomery Maulers ²

There are 2 entrances, North and South. Entrances have "Z" shaped stairs above each. Arches above each entrance are pale blue with concrete pillars that extend past building. The ticket booth is on the left inside South entrance.

Ticket booth attendant is a white male, white hair and plaid shirt. Ticket taker is a white male, 5'10", medium build, yellow rain coat, plaid shirt, jeans and red baseball cap.

Christopher Beckwith

Montgomery Maulers ³

The concession stand attendant is a white male, 5'8", medium build, grayish blonde hair balding, black t-shirt and jeans. DJ is a black male, 5'8", thin build, short hair, white t-shirt (999 Tenz), jeans.

Interior walls are concrete. Chairs are stadium style with metal frames and wooden slats. DJ located about 3 rows in front of our seats. Alabama State Univ. Band also played.

Christopher Beckwith

Montgomery Maulers ⁴

Maulers Dance Team has 28 members wearing red velvet mid thighs and black pants.

VIP sections on opposite sides of field. VIP lounge at far end of field. Bandstand on 2nd level opposite VIP lounge. Field has Bud Light logos mid field and Baptist Health logos in end zones. Great wall around field is red brick.

Christopher Beckwith

Montgomery Maulers 5

Banners on floor wall and football field barrier are Top Dog Cheerleading, Jwright Turner insurance, Steak Out restaurant, N-Jack Communication, WSWZ 97.9, Baptist Hospital).

Metal structure above headstand with 3 speakers approx. 3' x 2' and 5 horns. Metal structure in center of dome with 4 speakers approx 3' x 2', 10 horns and 8 bass modules with horns.

Christopher Beckwith

Montgomery Maulers 6

Music List

8:12 Get low - Lil Jon
8:18 I love rock N Roll -
Joan Jett & the Blackhearts
8:22 Disco Inferno - 50 Cent
8:26 Drop it like its hot -
Snoop Dogg
8:30 Drop it like its hot -
Snoop Dogg
8:44 Tippy - J'Kwan
8:50 Disco Inferno - 50 Cent
8:57 Louie, Louie - The Kingmen
9:02 Disco Inferno - 50 Cent
9:10 Get off your shoulder -
Jay Z.

Christopher Beckwith

Montgomery Maulers 7

Music List

9:12 Of your girl only know
Aaliyah
9:15 Yeah Usher
9:20 Planet Rock - Afrika Bambaatae
9:40 Bring em out - T. I.
9:50 Goodies - Ciara
9:57 Brickhouse - Commodores
10:03 Louie, Louie - The Kingmen
10:08 OK - Nirvana
10:12 I love Rock N Roll -
Joan Jett & The Blackhearts
10:15 You don't know me - T. I.
10:17 Crazy in love - Beyonce
10:20 Move - Ludacris
10:33 Sugar - Trick Daddy
Christopher Beckwith

INVESTIGATOR'S EXPENSE REPORT

Please Print

RECEIVED
JUN 08 2005
ASCAP-ATL

NAME OF ESTABLISHMENT WHERE INVESTIGATION WAS TAKEN: Montgomery MaulersADDRESS: 1555 Federal Drive
Montgomery, AL 36117NAME OF INVESTIGATOR: Christopher H. Beckwith DATE: June 4, 2005

EXPENSES	SAT	SUN	MON	TUES	WED	THUR	FRI	TOTAL
Hours in Establishment	3 hrs. 17 mins.							3 hrs. 17 mins.
Investigation Fee	\$86.25							\$86.25 ✓
Total Miles <u>338</u> @ \$.405 per mile	\$136.89							\$136.89 ✓
Driving/Flying time <u>5 hrs 18 min</u>	\$31.25							\$31.25 ✓
Parking/Tolls	\$0.00							\$0.00
Food/Drink <u>4.50</u> ✓ Cover Charge <u>26.00</u> ✓ Other <u>0.00</u> (tips) Total Expense in Est. <u>\$30.50</u>	\$30.50							\$30.50 ✓
Hotel**	\$0.00							\$0.00
Meals** (Outside Establishment)	\$25.00 (\$21.15 + \$3.85 tip)							\$25.00 (\$21.15 + \$3.85 tip) ✓
Phone/Postage (Be sure to separate)	\$3.85							\$3.85 ✓
Report preparation	\$50.00							\$50.00 ✓
Guest/Partner Fee	\$25.00							\$25.00 ✓
Total	\$388.74							\$388.74 ✓

Investigator's Signature:

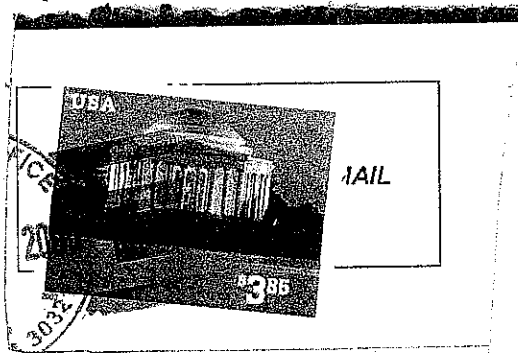
Christopher BeckwithDate: 6-6-05

Approved by:

Mary F. ChisolmDate: 6/13/05

*When possible, please obtain receipts for any expense incurred at the establishment and attach to this report.

**Reimbursement for meals and/or hotels will NOT be made without appropriate receipts.



0
NORTH SECT
* * *
MONTGOMERY MAULERS
S
LAKELAND THUNDERBOLTS
GARRETT COLISEUM
SAT JUN 4 2005 7:30PM

N
NORTH SECT
* * *
MONTGOMERY MAULERS
VS
LAKELAND THUNDERBOLTS
GARRETT COLISEUM
SAT JUN 4 2005 7:30PM

General Manager Todd Lee
Montgomery, AL 35117
(334) 273-7427

121 NICHOLAS

Tbl 107/1 Chk 1875 Gst 1
Jun04'05 05:46PM

Dine In

1 Lemonade	1.50
1 Lg Pork w/1	6.49
1 D Rib Plate w/2	8.99
1 Drft Mich Ultra	2.25

Subtotal	19.23
Tax	1.92
06:18 Total	21.15

Please Pay
Your Server

Catering
Available

"Aint nothing
like 'em
nowhere"

INVESTIGATOR'S REPORT

Date of Investigation: **June 4, 2005**

Establishment/Event: **Montgomery Maulers**

Address: **1555 Federal Drive**

City: **Montgomery**

State: **AL**

Supplemental Report

My tickets for the game on the evening of inspection for the Montgomery Maulers vs. the Lakeland Thunderbolts were accidentally torn up and thrown away with some other trash in an envelope. I was able to recover a portion of the tickets which I have enclosed with the original investigation report.

SIGNATURE

Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: **June 4, 2005**

Establishment/Event: **Montgomery Maulers**

Address: **1555 Federal Drive** City: **Montgomery** State: **AL**

Time Entered: **7:36 PM** No. of Patrons Present: **2,000 +**

Time Exited: **10:53 PM** No. of Patrons Present: **1,000 +**

Maximum No. of Patrons Present: **2,500+**

TOTAL SEATING CAPACITY: **8,500**

No. Tables: **N/A** No. Barstools: **N/A** No. Chairs: **8,500**

Posted Fire Capacity: **Not posted** Date: **I was unable to obtain the date**

DANCING AREA: **N/A** sq. ft. (approx.) SKATING AREA: **N/A**

ADMISSION CHARGE: **Fee \$13**

MINIMUM CHARGE: **N/A** OTHER CHARGE: **N/A**

JUKEBOX: Yes ☐ No ☒ Manufacturer: **N/A**

Coin Operated: Yes ☐ No ☒ Accessible to Patrons: Yes ☐ No ☒

Song List Visible: Yes ☐ No ☒ Played by Patrons: Yes ☐ No ☒

Jukebox License Office Certificate: Yes ☐ No ☒ Valid J.L.O.C.: Yes ☐ No ☒

Jukebox Owner: **N/A (No Jukebox on site)**

SEATING CAPACITY BREAKDOWN

TOTAL SEATING CAPACITY: **8,500**

(Unable to determine exact amount of seating per section)

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: June 4, 2005

Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive

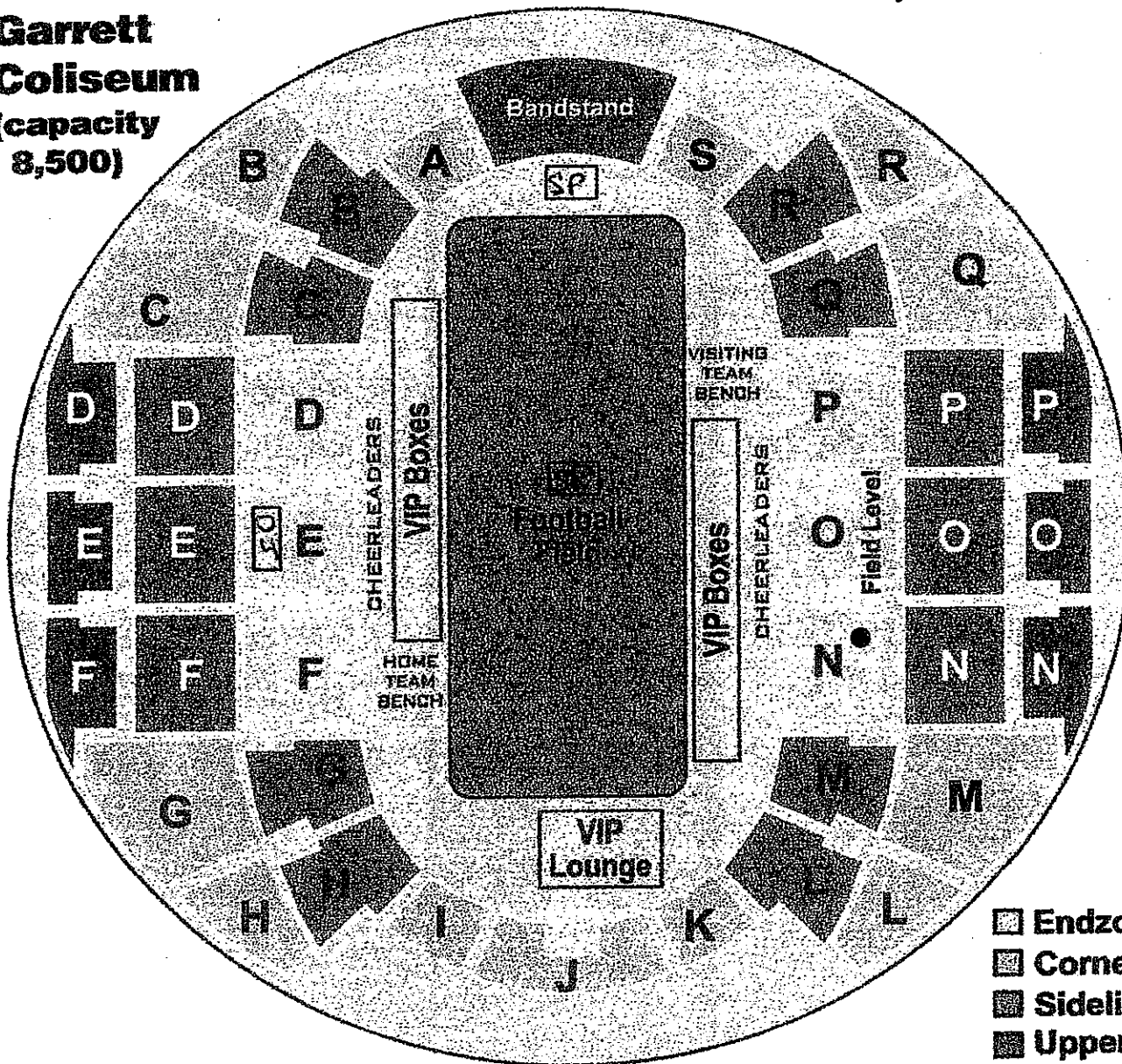
City: Montgomery

State: AL

DIAGRAM OF INTERIOR

● - Where I sat

**Garrett
Coliseum**
(capacity
8,500)



SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORTDate of Investigation: June 4, 2005Establishment/Event: Montgomery MaulersAddress: 1555 Federal DriveCity: Montgomery State: ALDESCRIPTION OF INTERIOR

The Montgomery Maulers is a football team in the National Indoor Football League. All home games are played at Garrett Coliseum in Montgomery, Alabama. Garrett Coliseum is an indoor dome shaped arena with five (5) sections of seating, field level, end zone, corners, sidelines, and upper level. The seats in these sections were fold-down stadium seats constructed of steel frames and wooden slats. I was unable to determine the exact number of seats per section. There were two (2) VIP box sections on the opposite sides of the football field and a VIP lounge at the far end of the football field on the floor of the arena. The chairs in the VIP boxes and the VIP lounge were brown plastic seats with silver metal legs. There was a bandstand on the second level of the arena on the end of the football field opposite the VIP lounge. The oval wall that surrounded the arena floor was constructed of red brick. The remaining walls of the arena were constructed of formed concrete. There were three (3) speakers measuring approximately three (3) X two (2) feet and five (5) large horns mounted to a metal structure suspended from the ceiling in front of the bandstand. There were four (4) speakers measuring approximately three (3) X two (2) feet, ten (10) large horns, and eight (8) combination horn and bass modules mounted to a metal structure suspended from the dome ceiling in the center of the arena. There were several banners attached to the oval wall that surrounded the arena floor and the barrier that separated the VIP boxes and the VIP lounge from the football field (Top Dog Cheerleading, Jinright Turner insurance, Steak Out restaurant, N Touch Communications, Blue Burrito restaurant, Calhoun Foods, Mr. Transmission, Electric Sun tanning salon, Pauly's Oyster House, Charter Media, and Baptist Heath hospital). There were two (2) "Bud Light" logos painted in the center of the football field and a Baptist Health logo painted in each end zone of the football field. There were logos for Nextel, Capital Hyundai, Top Dog Cheerleading and Coca Cola painted on the football field. There were no televisions or monitors located inside the arena.

DESCRIPTION OF EXTERIOR

The physical address of the Montgomery Maulers of 1050 Eastdale Mall is actually the address of the corporate offices of the team. The Montgomery Maulers physically play all home games at Garrett Coliseum. Garrett Coliseum is located near the intersection of Coliseum Boulevard and Federal Drive. The physical address of Garrett Coliseum is 1555 Federal Drive. Garrett Coliseum is a dome structure constructed of concrete and brick with a pale blue dome. There are two (2) main entrances to Garrett Coliseum, a North entrance and a South entrance. The portions of the arena arched above the North and South entrances are painted

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORTDate of Investigation: June 4, 2005Establishment/Event: Montgomery MaulersAddress: 1555 Federal DriveCity: Montgomery State: ALDESCRIPTION OF EXTERIOR (Cont')

pale blue with arched concrete pillars that extended beyond the actual building. There were "Z" shaped flights of concrete stairs above the openings of the North and South entrances. There were two (2) large parking lots located on the Garrett Coliseum property, one (1) on the north side of the property and one (2) on the south. I parked in the South parking lot. Upon our arrival there were hundreds of cars parked on the property. I was unable to determine the exact number of cars. The Coliseum Motel was the closest neighboring establishment located directly across Federal Drive from Garrett Coliseum.

DESCRIPTION OF ENTERTAINMENT

During the evening of investigation there was one (1) source of musical entertainment provided by the game announcer. The type of music played on the evening of investigation was Pop and Rock & Roll. The game announcer appeared to use digital files saved on a laptop to play the music. The game announcer was a White male approximately 5'8" with a medium build and dark hair. He was wearing a red short-sleeved polo shirt and jeans. The attendant at the concession stand that served my guest and I was a white female approximately 5'6" with a medium build and a brunette ponytail. She was wearing a bright green tank top and jeans. The attendant in the ticket booth was an older white male approximately 5'8" with short white hair wearing a red short-sleeved polo shirt and jeans. The ticket taker was a white male approximately 5'10" with a medium build wearing an orange t-shirt and jeans. The members of the Montgomery Maulers Dance Team wearing red halters and red mini-skirts both trimmed in blue. There was a twenty (20) foot tall inflated balloon of a Marine soldier located in the bandstand with a red t-shirt with "Marines" on the front in yellow letters and green army fatigues. The Top Dog cheerleaders wore royal blue tank tops and black skirts. There were three (3) speakers measuring approximately three (3) X two (2) feet and five (5) large horns mounted to a metal structure suspended from the ceiling in front of the bandstand. There were four (4) speakers measuring approximately three (3) X two (2) feet, ten (10) large horns, and eight (8) combination horn and bass modules mounted to a metal structure suspended from the ceiling in the center of the arena. There were no brand names on these speakers. There were no televisions or monitors located inside the arena. The music played by the game announcer could be heard throughout the establishment.

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: June 4, 2005

Establishment/Event: Montgomery Maulers

Address: 1555 Federal Drive City: Montgomery State: AL

MISCELLANEOUS

(Include type and number of alcoholic beverages consumed, whether you discussed the purpose for your visit with anyone. Whether you requested the performance of any songs, and any other pertinent details.)

During the evening of investigation the theme was Military Appreciation Night. The Montgomery Maulers played the Lakeland Thunderbolts. The final score was 36 to 16. My guest and I had one (1) beverage each. My guest ordered a Coca Cola and I ordered a Sprite at a cost of \$2.25 each totaling \$4.50. I was unable to obtain a receipt for these drinks. I parked in the South parking lot on the property of Garrett Coliseum. There was no charge for parking. There were hundreds of cars parked on the property. I was unable to determine the exact number of cars. I paid for all expenses and tips. I contacted the corporate office of the Montgomery Maulers by phone prior to my trip to Montgomery. I was advised of ticket prices and availability but was unable to obtain any information about entertainment during the games. The posted fire capacity certificate was not posted in the arena. I was unable to determine the total number of patrons during the game but I estimated that the total number of patrons was over 2,500. I did not discuss the purpose of my visit with anyone. My guest or I requested no music.

SIGNATURE: Christopher Beckwith

Policy - Minor League Sports[Create Action Item](#) [Request Letter](#)**Montgomery Maulers** **Montgomery Maulers, LLC**

Premise Address: 1050 Eastdale Mall City, State Zip: Montgomery, AL 36117 Phone: 334-277-1881	Mailing Address: PO Box 230603 City, State Zip: Montgomery, AL 36123 Fax:
Main Contact: Ms. Jamie Lamunyon Role: Owner Phone: 334-277-1881 Identified By: Account Services Class: 8SPM	Account Num: TLM: ALM: District:

Compile Rate Factors and Rate ->

Factors

Values

Initial Rate: 0

Standard Seasonal?:

Policy Information

Rate Start Date: 01/01/2005

Premise Status: Pending Litigation

Calculated Rate: \$0.00

☒ Exception: No

Exception Rate:

6/4/09
One source

Billing Information

Year	Rate

Site Information

Audio Number Speakers: Type of Speakers: Square footage: Receiver Location: <input checked="" type="checkbox"/> Wiring: <input checked="" type="checkbox"/> Paging Capability?	Audio/Visual Number of Units: Size of each Unit: Size of Screen: <input checked="" type="checkbox"/> Projection: <input checked="" type="checkbox"/> Self-contained speaker? <input checked="" type="checkbox"/> Extension speaker? <input checked="" type="checkbox"/> VCR present? Type of programming:
---	--

Comments:

INVESTIGATOR'S REPORTDate of Investigation: **June 4, 2005**Establishment/Event: **Montgomery Maulers**Address: **1555 Federal Drive**City: **Montgomery**State: **AL****LIST OF MUSICAL COMPOSITIONS**

<u>Time</u>	<u>Song Title</u>	<u>Source of Music</u>	<u>Popular Recording By</u>
7:40	UNIDENTIFIED	DJ	UNIDENTIFIED
7:44	YEAH	DJ	USHER
7:49	CAN'T TOUCH THIS	DJ	M. C. HAMMER
7:56	LOSE MY BREATH	DJ	DESTINY'S CHILD
8:04	UNIDENTIFIED	DJ	UNIDENTIFIED
8:10	WE WILL ROCK YOU	DJ	QUEEN
8:13	YEAH	DJ	USHER
8:19	GOODIES	DJ	CIARA
8:24	WE WILL ROCK YOU	DJ	QUEEN
8:28	HEY, HO, LET'S GO	DJ	THE RAMONES
8:33	GOODIES	DJ	CIARA
8:37	UNIDENTIFIED	DJ	UNIDENTIFIED
8:40	CELEBRATION	DJ	KOOL & THE GANG
8:43	UNIDENTIFIED	DJ	UNIDENTIFIED
8:45	GIRL FIGHT	DJ	BROOKE VALENTINE
8:48	HEY, HO, LET'S GO	DJ	THE RAMONES
8:53	PUMP UP THE JAM	DJ	TECHNOTRONIC
8:57	YEAH	DJ	USHER
9:03	SWEET HOME ALABAMA	DJ	LYNARD SKYNARD

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORTDate of Investigation: June 4, 2005Establishment/Event: Montgomery MaulersAddress: 1555 Federal Drive City: Montgomery State: ALLIST OF MUSICAL COMPOSITIONS

<u>Time</u>	<u>Song Title</u>	<u>Source of Music</u>	<u>Popular Recording By</u>
9:10	GOD BLESS THE U.S.A	DJ	LEE GREENWOOD
9:12	GOD BLESS THE U.S.A	DJ	LEE GREENWOOD
9:17	STACEY'S MOM HAS GOT IT GOING ON	DJ	FOUNTAINS OF WAYNE
9:20	STACEY'S MOM HAS GOT IT GOING ON	DJ	FOUNTAINS OF WAYNE
9:22	GITTIN JIGGY WIT IT	DJ	WILL SMITH
9:25	SPONGE BOB SQUARE PANTS	DJ	UNIDENTIFIED
9:31	FRESH PRINCE OF BEL AIRE	DJ	WILL SMITH
9:35	PIECES OF ME	DJ	ASHLEY SIMPSON
9:38	HEY, HO, LET'S GO	DJ	THE RAMONES
9:40	CAN'T TOUCH THIS	DJ	M. C. HAMMER
9:41	PIECES OF ME	DJ	ASHLEY SIMPSON
9:43	WHY CAN'T WE BE FRIENDS	DJ	SMASH MOUTH
9:45	LOVE STINKS	DJ	J. GEILS BAND
9:48	WHY CAN'T WE BE FRIENDS	DJ	SMASH MOUTH
9:56	HURT SO GOOD	DJ	JOHN COUGAR MELLANCAMP
9:58	I LIKE TO MOVE IT	DJ	REEL 2 REAL
9:59	TWIST AND SHOUT	DJ	THE BEETLES

SIGNATURE: Christopher Beckwith

INVESTIGATOR'S REPORT

Date of Investigation: **June 4, 2005**

Establishment/Event: **Montgomery Maulers**

Address: **1555 Federal Drive**

City: **Montgomery**

State: **AL**

LIST OF MUSICAL COMPOSITIONS

<u>Time</u>	<u>Song Title</u>	<u>Source of Music</u>	<u>Popular Recording By</u>
10:03	NA NA HEY HEY GOODBYE	DJ	STEAM
10:04	WE WILL ROCK YOU	DJ	QUEEN
10:11	CAN'T TOUCH THIS	DJ	M. C. HAMMER
10:13	YMCA	DJ	WILLIAM HUNG
10:18	IF YOU'RE HAPPY AND YOU KNOW IT CLAP YOUR HANDS	DJ	UNIDENTIFIED
10:21	GITTIN JIGGY WIT IT	DJ	WILL SMITH
10:26	LA VIDA LOCA	DJ	RICKY MARTIN

SIGNATURE: Christopher Beckwith

1
Montgomery Maulers
arrived:
departed:

Game is played at Garrett Coliseum located at 1555 Federal Drive near intersection of Federal Drive and Coliseum Blvd. The closest establishment is the Coliseum Motel across Federal Drive from Garrett Coliseum. There are 2 parking lots on the arena property, a North parking lot and a South parking lot. I parked in the

Christopher Beckwith

2
Montgomery Maulers

South parking lot. There were ~~thousands~~ of cars parked on the property. I was unable to determine the exact number of cars.

The arena is a concrete and brick structure with a pale blue dome. The arena has 2 main entrances, North and South, with an arch above each painted pale blue and concrete pillars attached to the building. There are flights of "Z" shaped

Christopher Beckwith

3
Montgomery Maulers

stairs above each entrance.
Interior

Garrett Coliseum is divided into 5 sections, field level, end zone, corners, sidelines, and upper level. I was unable to determine the exact number of seats per section. The seats are fold down stadium seats with metal frames and wooden slats. There are 2 VIP sections on both sides of the football field and a VIP lounge at the

Christopher Beckwith

4
Montgomery Maulers

far end of the football field. The chairs in the VIP areas are brown plastic seats with silver metal legs. There is a handstand on the 2nd level at the opposite end of the arena. The oval wall around the floor of the arena is red brick. The walls are concrete. There are 3 speakers approx. 2x3 feet and 5 large horns suspended in front of the handstand. There are 4

Christopher Beckwith

5

Montgomery Maulers

speakers approx. 2x3 feet, 10 large horns, and 8 horn and bass speaker combinations suspended from the ceiling in the middle of the dome.

Concession stand attendant is a white female approx 5'6", medium build with brown ponytail, green tank top and jeans. The ticket booth attendant is an older white male approx. 5'8" with white hair, red polo shirt and jeans.

Christopher Beckwith

6

Montgomery Maulers

The ticket taker is a white male approx. 5'10", medium build, orange t-shirt and jeans.

The game announcer played music via laptop. He is a white male approx. 5'8", medium build and dark hair wearing a red polo shirt and jeans. There is a large balloon approx. 20' of a Marine with a red t-shirt with "Marines" in yellow letters and green army fatigues.

Christopher Beckwith

7

Montgomery Maulers

The Montgomery Maulers Dance Team are wearing red halters and red mini skirts trimmed in blue. The Top Dog Cheerleaders are wearing blue tank tops and black skirts.

Christopher Beckwith

8

Montgomery Maulers
Music List

7:40 UNID- UNID
7:44 Yeah- Usher
7:49 Can't touch this- MC Hammer
7:56 Lose my breath
Destiny's Child
8:04 UNID - UNID
8:10 We will rock you- Queen
8:13 Yeah- Usher
8:19 Hoodies- Ciara
8:24 We will rock you- Queen
8:28 Hey, ho, lets go- Ramones
8:33 Hoodies- Ciara
8:37 UNID- UNID

Christopher Beckwith

9

Montgomery Maulers

Music List

8:40 Celebration - Kool & the Gang

8:43 UNID - UNID

8:45 Girl Fight - Brooke Valentine

8:48 Hey, ho, lets go - Ramones

8:53 Pump up the jam -
Technotronic

8:57 Yeah - Usher

9:03 Sweet home Alabama -

Lynyrd Skynyrd

9:10 God bless the U.S.A. -

Lee Greenwood

9:12 God bless the U.S.A. -

Lee Greenwood

Christopher Beckwith

10

Montgomery Maulers

Music List

9:17 Steezy's mom has got it

going on - Fountain of Wayne

9:20 Steezy's mom has got it

going on - Fountains of Wayne

9:22 Gettin jiggy wit it -
Will Smith9:25 Sponge Bob square pants -
UNID9:31 Fresh Prince of Bel Air -
Will Smith

9:35 Pieces of me - Ashley Simpson

9:38 Hey, ho, lets go - Ramones

9:40 Can't touch this - MC Hammer

Christopher Beckwith

11

Montgomery Maulers

Music List

9:41 Pieces of me - Ashley Simpson

9:43 Why can't we be friends -

Smash Mouth

9:45 Love stinks - J. Geils Band

9:48 Why can't we be friends -

Smash Mouth

9:56 Hurts so good - John Cougar

9:58 I like to move it - Real 2 Real

9:59 Twist and shout - The Beatles

10:03 Na Na, Hey Hey - Goodbye -

Steam

10:04 We will rock you - Queen

10:11 Can't touch this - MC Hammer

Christopher Beckwith

12

Montgomery Maulers

Music List

10:13 YMCA - William Hung

10:18 If you're happy and you
know it - UNID

10:21 Gettin jiggy wit it -

Will Smith

10:24 La Vida Loca - Ricky Martin

Christopher Beckwith